

TESTIMONY OF COURTNEY P SPENCER

RB 6501

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My name is Courtney Spencer and I am an Attorney in Glastonbury Connecticut. I represent families in special education matters. I am submitting this testimony in reference to H.B. 6501. This bill should be supported, however it must be amended to specify that the SRBI process not delay a comprehensive evaluation or eligibility determination. The Federal and State laws are clear-there should be no delay in referring a child for special education if they are suspected as being a child with a disability. The SRBI process has caused mass confusion and has resulted in delaying services to our most vulnerable population of children. As a special education attorney, I have seen how the misunderstanding of the SRBI process has hurt children. I have had numerous parents come to me with children who are clearly in need of special education, who are clearly struggling, but are denied services because of SRBI. They are told that the children must fail the Tier system that makes up SRBI in Connecticut, in order to be found eligible for special education, which is simply not true. One young man that I represent in particular emphasizes the negative implications of this practice. He has been struggling academically since his early years of school. Two years ago he moved to Connecticut and proceeded to receive D and F grades in all areas. This occurred through the entire 2009-10 school year and now well into the 2010-11 school year. He started to exhibit frustrating and off task behaviors and was disciplined. He started to feel like an absolute failure. The school did not refer him for special education despite extensive teacher reports that he was struggling severely academically, socially and emotionally. After nearly two years of struggling, he was evaluated and found to have areas of exceptional intelligence and areas of clear disability. When the school district was asked why they let this child fall so far without referring him, the parent was told that the school district is required to implement SRBI before making a referral. Nearly two years of failure was not enough time to make them believe a referral was necessary. Where this student would have been slightly behind, he is now struggling significantly in all academic areas, has no friends and his behavior is disruptive to his learning and that of the students around him. And the damage to his self esteem is irreparable. He is one of many, many children that I have worked with who have been denied necessary services to which they are entitled by law in the name of SRBI. School districts need to be clear that nothing should prevent or delay a special education referral when one is warranted. The cost to our children is too great. In many instances special education and related services might be able to help a child remain in the mainstream setting and make progress, if the disability is caught early and supported appropriately. When services are delayed, the problem is exacerbated and will require more expensive supports and services, more time from teachers who already have little time to assist the students in their charge and it becomes less likely that the child will ever be put back into the place they would have been had they been identified in a timely manner.